IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

MELINDA SCOTT,)
Plaintiff,) Case No. 2:17CV10011
v.	ORDER
ANDREW CARLSON,) By: James P. Jones United States District Judge
Defendant.)

It appearing proper, Plaintiff's Motion to Strike (ECF No. 15) is DENIED. Defendant did not waive his right to file a Motion to Dismiss by asserting a response to the Complaint and a Motion to Dismiss in a single pleading.

The plaintiff must file a response to the Motion to Dismiss within 14 days of the receipt of a copy of this Order. If she fails to file a timely response, the court may grant the motion without further notice. It will be presumed that the plaintiff received a copy of this Order within 3 days of its mailing, unless she can show to the contrary.

It is so **ORDERED**.

ENTER: June 29, 2017

/s/ James P. Jones

United States District Judge